

**CALENDAR ITEM  
C32**

A     1  
S     2

08/19/15  
PRC 7988.1  
B. Terry

**GENERAL LEASE – RIGHT-OF-WAY**

**APPLICANT:**

Eureka Ready Mix Concrete Co., Inc.  
4945 Boyd Road  
Arcata, CA 95521

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Eel River (River), adjacent to Assessor's Parcel Numbers 201-221-009, 201-261-001, 106-221-001, 106-221-003, 106-221-004, and 106-221-005, near Fortuna, Humboldt County.

**AUTHORIZED USE:**

Annual placement, use, and removal of a seasonal bridge crossing over the River. The exact location of the bridge may vary from year to year within the lease premises due to conditions in the River.

**LEASE TERM:**

Four years, four months, and 11 days, beginning August 19, 2015.

**CONSIDERATION:**

\$450 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance in an amount no less than \$1,000,000.

Other:

The lease includes a provision for annual reporting of extraction plans and location of the seasonal bridge.

Hazard Signs:

Lessee is to post low-bridge warning signs during the period that the crossing is in place.

**OTHER PERTINENT INFORMATION:**

1. Applicant has the right to use the uplands adjoining the lease premises.

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2. On October 22, 2009, the Commission authorized a five-year General Lease – Right-of-Way Use with Eureka Ready Mix Concrete Co., Inc., for the annual placement, use, and removal of a seasonal bridge crossing over the River. The lease expired on October 15, 2014. The Applicant has now applied for a General Lease – Right-of-Way Use.
3. A temporary bridge crossing is constructed annually over the River within the Lease Premises to access gravel bars for the extraction of sand and gravel removed during the Applicant's annual summer gravel extraction operations. The bridge consists of a railroad flat car supported on precast concrete block abutments and is placed no earlier than June 30 and removed no later than October 15 of each year.
4. The California Coastal Commission's (CCC) permit has an expiration date of December 31, 2019. To stay in accordance with criteria established in the authorization issued by the CCC, staff recommends issuance of a lease for a term of four years, four months, and 11 days.
5. The CCC prepared an environmental document (environmental document) pursuant to its certified regulatory program (Cal. Code Regs., tit. 14, § 15251, subd. (c)), and granted Coastal Development Permit No. 1-15-0204 for this Project on August 13, 2015.  
  
Staff has reviewed the document and determined that the conditions, as specified in the California Code of Regulations, Title 14, section 15253, subdivision (b), have been met for the Commission to use this document for its compliance with the California Environmental Quality Act (CEQA).
6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**APPROVALS RECEIVED:**

California Coastal Commission  
North Coast Regional Water Quality Control Board  
County of Humboldt  
California Department of Fish and Wildlife

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**FURTHER APPROVALS REQUIRED:**

U.S. Army Corps of Engineers  
National Marine Fisheries Service

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that California Coastal Commission (CCC) environmental document prepared for Coastal Development Permit No. 1-15-0204, and adopted on August 13, 2015, by the CCC pursuant to its certified regulatory program (Cal. Code Regs., tit. 14, § 15251, subd. (c)), is a substitute document as provided by the California Code of Regulations, Title 14, section 15252, subdivision (a), and that the California State Lands Commission has reviewed and considered the information therein.

Find that the conditions described in the California Code of Regulations, Title 14, section 15253, subdivision (b), have been met for the California State Lands Commission, acting as a responsible agency, to use the environmental document to comply with the requirements of the California Environmental Quality Act. (Cal. Code Regs., tit. 14, § 15096.)

Determine that the Project, as approved, will not have a significant effect on the environment.

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Right-of-Way Use to Eureka Ready Mix Concrete Company, Inc. beginning August 19, 2015, for a term of four years, four months, and 11 days, for annual placement, use, and removal of a seasonal bridge crossing as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$450, with an annual Consumer Price Index adjustment; and liability insurance in an amount of no less than \$1,000,000 per occurrence.

## **EXHIBIT A**

**PRC 7988.1**

### **LAND DESCRIPTION**

A 75 foot wide by 150 foot long, more or less, strip of submerged lands lying in the bed of the Eel River situate adjacent to Sections 14, 15, 22, and 23 Township 2 North, Range 1 West, Humboldt Base and Meridian, County of Humboldt, State of California, the location of said strip to be within the following described lands:

Said strip lying within those lands bounded on the west by the ordinary low water mark of the left bank of the Eel River, bounded on the east by the ordinary low water mark of the right bank of the Eel River, bounded on the north by the northerly line of the south half of Sections 14 and 15, and bounded on the south by the southerly line of the north half of Sections 22 and 23.

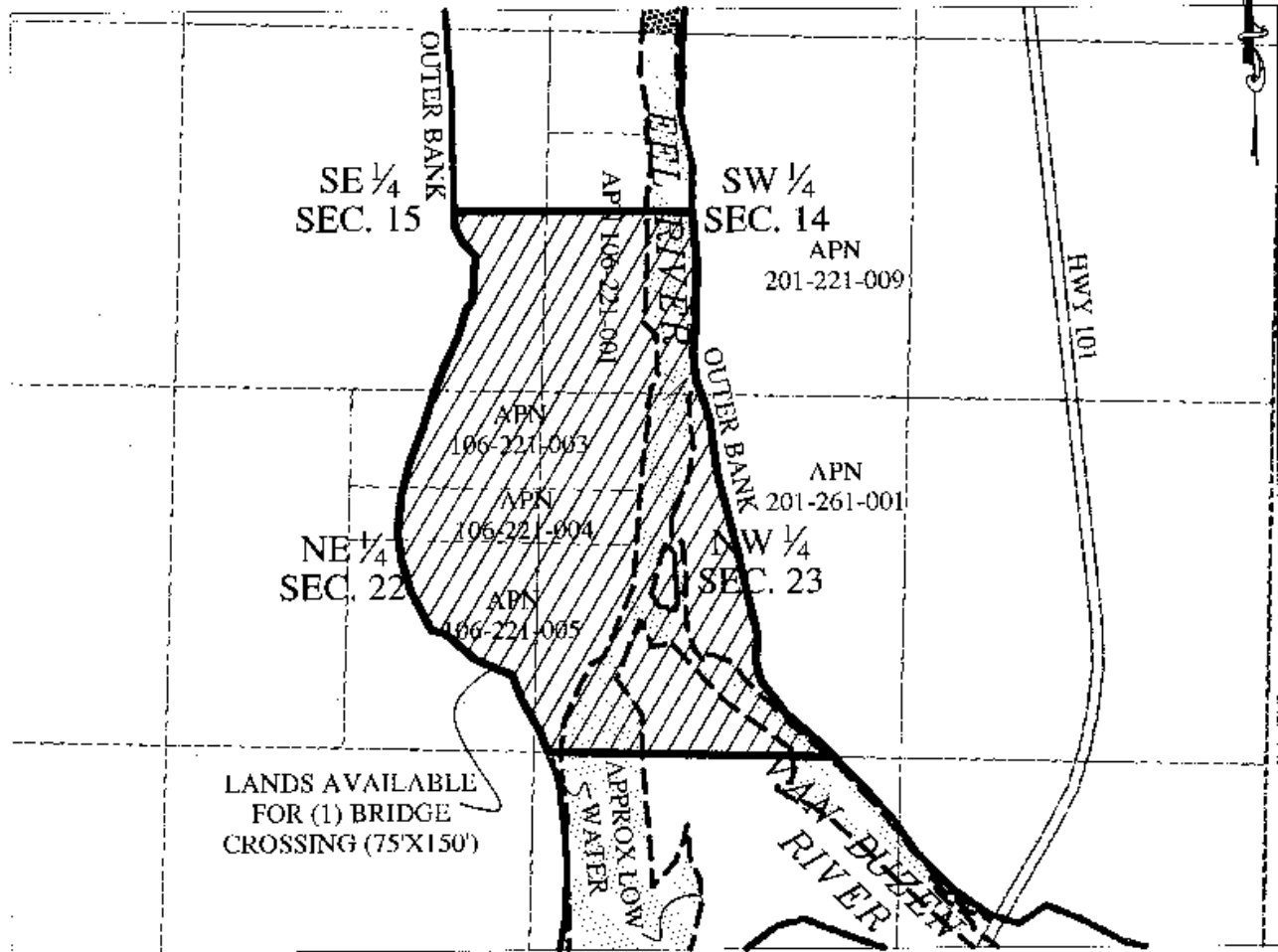
### **END OF DESCRIPTION**

Prepared by the California State Lands Commission Boundary Unit  
August 23, 2009.



NO SCALE

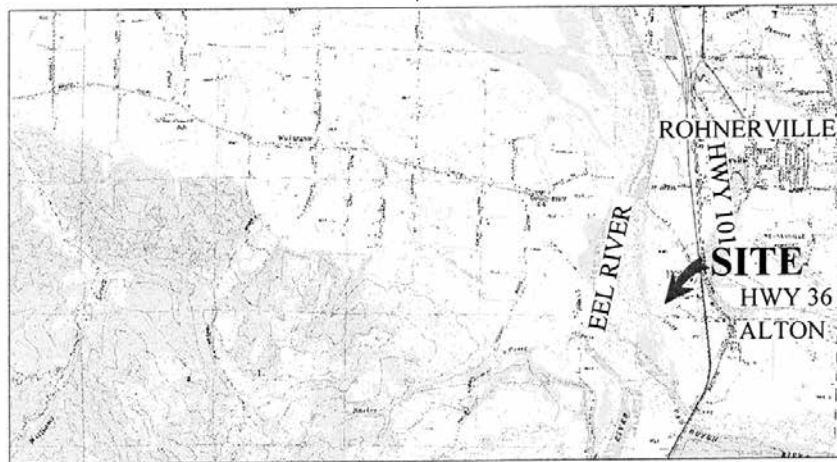
## SITE



Seasonal Bridge Crossing the Eel River

NO SCALE

## LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

## **Exhibit B**

PRC 7988.1  
EUREKA READY MIX  
CONCRETE CO., INC.  
APN 106-221-001, 003, 004 & 005  
201-221-009, 201-261-001  
GENERAL LEASE -  
RIGHT-OF-WAY USE  
HUMBOLDT COUNTY



MJE 7/26/15